Chap. Sec.
16. Delegates to Congress from Guam and Virgin Islands [New] 1711

Chapter 2.—ALASKA

DELEGATION OF FUNCTIONS

Ex. Ord. No. 11230, June 28, 1965, 30 F.R. 8447, under which the functions of the President under sections 44(a) and 45(a) of the Alaska Omnibus Act of June 25, 1959, were delegated to the Director of the Bureau of the Budget, was superseded by Ex. Ord. No. 11609, July 22, 1971, 36 F.R. 13747, set out as a note under section 301 of Title 3, The President.

Chapter 3.—HAWAII

DELEGATION OF FUNCTIONS

Ex. Ord. No. 11230, June 28, 1965, 30 F.R. 8447, under which the functions of the President under section 5(e) of the Hawaii Statehood Act of Mar. 18, 1959, were delegated to the Director of the Bureau of the Budget, was superseded by Ex. Ord. No. 11609, July 22, 1971, 36 F.R. 13747, set out as a note under section 301 of Title 3, The President.

Chapter 4.—PUERTO RICO

§ 742. Acknowledgment of deeds.

CODIFICATION

Section is also set out in D.C. Code, § 45–406.

Chapter 7.—THE VIRGIN ISLANDS

DELEGATE TO CONGRESS FROM VIRGIN ISLANDS

Provisions respecting representation in Congress by a Delegate from Virgin Islands to the House of Representatives, see section 1711 et seq. of this title.

§ 1397. Income-tax laws of United States in force.

APPLICATION OF WESTERN HEMISPHERE TRADE CORPORATION PROVISION UNDER THE VIRGIN ISLANDS TAX LAWS

Treatment of Western Hemisphere Trade Corporation provisions of sections 921 and 922 of Title 26 as having been repealed effective with respect to taxable years beginning after Dec. 10, 1971, for purposes of applying income tax laws of the United States with respect to the Virgin Islands under this section, see Pub. L. 92–178, title III, § 307, Dec. 10, 1971, 85 Stat. 524, set out as a note under section 921 of Title 26, Internal Revenue Code.

§ 1401f. Purchases.

REPEATED

Pub. L. 92–76, title I, § 100, Aug. 10, 1971, 85 Stat. 233; Pub. L. 92–369, title I, § 100, Aug. 10, 1972, 86 Stat. 512; Pub. L. 93–120, title I, § 100, Oct. 4, 1973, 87 Stat. 433; Pub. L. 93–404, title I, § 100, Aug. 31, 1974, 88 Stat. 812; Pub. L. 94–165, title I, § 100, Dec. 23, 1975, 89 Stat. 987.

§ 1405c. Transfer of property to Government; application of tonnage duties, navigation laws, etc.; existing powers of United States officers unaffected; sale of property by Secretary of Interior.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1545 of this title.

§ 1407c. General powers; termination date.

The Corporation shall have, and may exercise, the following general powers in carrying on the activities specified in section 1407b of this title:

* * * * *

(l) To appoint, without regard to the provisions of the civil-service laws, such officers, agents, attorneys, and employees as may be necessary for the conduct of the business of the Corporation; to delegate to them such powers and to prescribe for them such duties as may be deemed appropriate by the Corporation; to establish an efficiency or merit rating system, as may be desirable; to fix and pay such compensation to them for their services as the Corporation may determine, without regard to the provisions of the classification laws except to the extent that these laws may be extended to the Corporation by the President of the United States; and without regard to the provisions of any other law, to establish hours of work, conditions governing the payment of compensation for overtime hours, and working rules and working conditions generally. In the appointment of officials and the selection of employees for said Corporation, and in the promotion of any such officials or employees, no political test or qualification shall be permitted or given consideration, but all such appointments and promotions shall be given and made on the basis of merit and efficiency. Any member of said board who is found by the President of the United States or his representative to be guilty of a violation of this section shall be removed from office by the President of the United States, and any appointee of said board who is found by the board to be guilty of a violation of this section shall be removed from office by said board. Persons employed by the Corporation shall not be included in making computations pursuant to the provisions of section 947 of Title 5. The Corporation shall give due consideration to residents of the Virgin Islands in the selection and promotion of its officers and employees.

* * * * *

(As amended June 6, 1972, Pub. L. 92–310, title II, § 234, 86 Stat. 214.)

REFERENCES IN TEXT

The civil service laws, referred to in subsec. (l), are set forth in Title 5, Government Organization and Employees. See, particularly, section 3301 et seq. of that Title.

The classification laws, referred to in subsec. (l), are set forth in sections 5101 et seq. and 5331 et seq. of Title 5.

Section 947 of title 5, referred to in subsec. (l), was repealed by act Sept. 12, 1950, ch. 946, title III, § 301(85), 64 Stat. 843.

AMENDMENTS

1972—Subsec. (l). Pub. L. 92–310 eliminated provisions which empowered the Corporation to require bonds from officers, agents, attorneys, and employees as might have been designated.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1407b, 1407d, 1407e, 1407f of this title.

§ 1407f. Corporate use of funds.

TRANSFER OF FUNCTIONS

All functions vested by law (including reorganization plan) in the Bureau of the Budget or the Director of the

Bureau of the Budget were transferred to the President of the United States by section 101 of 1970 Reorg. Plan No. 2, eff. July 1, 1970, 35 F.R. 7959, 84 Stat. 2085. Section 102 of 1970 Reorg. Plan No. 2, redesignated the Bureau of the Budget as the Office of Management and Budget. See Change of Name note set out under this section in the main volume.

§ 1407i. Transfer of functions.

TRANSFER OF FUNCTIONS

All functions vested by law (including reorganization plan) in the Bureau of the Budget or the Director of the Bureau of the Budget were transferred to the President of the United States by section 101 of 1970 Reorg. Plan No. 2, eff. July 1, 1970, 35 F.R. 7959, 84 Stat. 2085. Section 102 of 1970 Reorg. Plan No. 2, redesignated the Bureau of the Budget as the Office of Management and Budget. See Change of Name note set out under this section in the main volume.

Chapter 8A.—GUAM

GENERAL PROVISIONS

Sec.
1421k–1. Delegate from Guam to United States House of Representatives; clerk hire allowance and transportation expenses [New].
1421o. Federal assistance for fire control, watershed protection, and reforestation [New].
1421p. Authorization of appropriations [New].

DELEGATE TO CONGRESS FROM GUAM

Provisions respecting representation in Congress by a Delegate from Guam to the House of Representatives, see section 1711 et seq. of this title.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in section 1681b of this title.

GENERAL PROVISIONS

§ 1421i. Income tax.

* * * * *

(d) Definition of "income-tax laws"; administration and enforcement; rules and regulations.

* * * * *

(2) The Governor or his delegate shall have the same administrative and enforcement powers and remedies with regard to the Guam Territorial income tax as the Secretary of the Treasury, and other United States officials of the executive branch, have with respect to the United States income tax. Needful rules and regulations not inconsistent with the regulations prescribed under section 7654(e) of the Internal Revenue Code of 1954 for enforcement of the Guam Territorial income tax shall be prescribed by the Governor. The Governor or his delegate shall have authority to issue, from time to time, in whole or in part, the text of the income-tax laws in force in Guam pursuant to subsection (a) of this section.

* * * * *

(As amended Oct. 31, 1972, Pub. L. 92–606, § 1(d), 86 Stat. 1497.)

AMENDMENTS

1972—Subsec. (d)(2). Pub. L. 92–606 substituted "Needful rules and regulations not inconsistent with the regulations prescribed under section 7654(e) of the Internal Revenue Code of 1954" for "Needful rules and regulations".

EFFECTIVE DATE OF 1972 AMENDMENT

Amendment by Pub. L. 92–606 applicable with respect to taxable years beginning after Dec. 31, 1972, see section 2 of Pub. L. 92–606, set out in part as a note under section 935 of Title 26, Internal Revenue Code.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 26 section 7654.

§ 1421k–1. Delegate from Guam to United States House of Representatives; clerk hire allowance and transportation expenses.

Notwithstanding any other provision of law, the clerk hire allowance and the transportation expenses subject to reimbursement under Federal law of the Delegate from Guam to the United States House of Representatives shall each be the same as allowed for Members of the United States House of Representatives. (Aug. 1, 1950, ch. 512, § 35, as added May 27, 1975, Pub. L. 94–26, § 1, 89 Stat. 94.)

§ 1421o. Federal assistance for fire control, watershed protection, and reforestation.

The Secretary of Agriculture is authorized to provide financial and technical assistance to Guam for improving fire control, watershed protection and reforestation, consistent with existing laws, administered by the Secretary of Agriculture, which are applicable to the continental United States. The program authorized by this section shall be developed in cooperation with the territorial government of Guam and shall be covered by a memorandum of understanding agreed to by the territorial government and the Department. The Secretary may also utilize the agencies, facilities, and employees of the Department, and may cooperate with other public agencies and with private organizations and individuals in Guam and elsewhere. (Pub. L. 93–421, § 1, Sept. 19, 1974, 88 Stat. 1154.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1421p of this title.

§ 1421p. Authorization of appropriations.

There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of section 1421o of this title. Sums appropriated in pursuance of sections 1421o and 1421p of this title may be allocated to such agencies of the Department as are concerned with the administration of the program in Guam. (Pub. L. 93–421, § 2, Sept. 19, 1974, 88 Stat. 1154.)

THE EXECUTIVE BRANCH

§ 1422d. Government comptroller.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1681b of this title.

THE LEGISLATURE

§ 1423i. Approval of bills.

Every bill passed by the legislature shall, before it becomes a law, be entered upon the journal and presented to the Governor. If he approves it, he shall sign it, but if not he shall, except as hereinafter provided, return it, with his objections, to the legislature within ten days (Sundays excepted) after it shall have been presented to him. If he does not return it within such period, it shall be a law in like manner as if he had signed it, unless the legislature by adjournment prevents its return, in which case it shall be a law if signed by the Governor within thirty days

after it shall have been presented to him; otherwise it shall not be a law. When a bill is returned by the Governor to the legislature with his objections, the legislature shall enter his objections at large on its journal and, upon motion of a member of the legislature, proceed to reconsider the bill. If, after such reconsideration, two-thirds of all the members of the legislature pass the bill, it shall be a law. If any bill presented to the Governor contains several items of appropriation of money, he may object to one or more of such items, or any part or parts, portion or portions thereof, while approving the other items, parts, or portions of the bill. In such a case he shall append to the bill at the time of signing it, a statement of the items, or parts or portions thereof, to which he objects, and the items, or parts or portions thereof, so objected to shall not take effect. All laws enacted by the legislature shall be reported by the Governor to the head of the department or agency designated by the President under section 1421a of this title. The Congress of the United States reserves the power and authority to annul the same. (As amended Jan. 2, 1975, Pub. L. 93–608, § 1(14), 88 Stat. 1969.)

AMENDMENTS

1975—Pub. L. 93–608 struck out requirement that reports be transmitted to Congress by the Secretary concerned.

§ 1423*l*. Purchases.

REPEALED

Pub. L. 92–76, title I, § 100, Aug. 10, 1971, 85 Stat. 233; Pub. L. 92–369, title I, § 100, Aug. 10, 1972, 86 Stat. 512; Pub. L. 93–120, title I, § 100, Oct. 4, 1973, 87 Stat. 433; Pub. L. 93–404, title I, § 100, Aug. 31, 1974, 88 Stat. 812; Pub. L. 94–165, title I, § 100, Dec. 23, 1975, 89 Stat. 987.

Chapter 10.—TERRITORIAL PROVISIONS OF A GENERAL NATURE

§ 1470a. Availability of appropriations for surface vessels.

Appropriations available for the administration of Territories may be expended for the purchase, charter, maintenance, and operation of surface vessels for official purposes and for commercial transportation purposes found by the Secretary to be necessary. (Pub. L. 94–165, title I, § 100, Dec. 23, 1975, 89 Stat. 987.)

SIMILAR PROVISIONS

Section is from the Department of the Interior and Related Agencies Appropriation Act, 1976. Similar provisions were contained in the following prior appropriation acts:

1974—Pub. L. 93–404, title I, § 100, Aug. 31, 1974, 88 Stat. 812.

1973—Pub. L. 93–120, title I § 100, Oct. 4, 1973, 87 Stat. 433.

1972—Pub. L. 92–369, title I, § 100, Aug. 10, 1972, 86 Stat. 512.

1971—Pub. L. 92–76, title I, § 100, Aug. 10, 1971, 85 Stat. 233.

Chapter 11.—ALIEN OWNERS OF LAND

§§ 1501 to 1508.

SECTIONS REFERRED TO IN D.C. CODE

These sections are referred to in section 45–1501 of the District of Columbia Code.

Chapter 12.—THE VIRGIN ISLANDS

SUBCHAPTER IV.—EXECUTIVE BRANCH

Sec.

1596. Delegate from the Virgin Islands to the United States House of Representatives; clerk hire allowance and transportation expenses [New].

SUBCHAPTER I.—GENERAL PROVISIONS

§ 1545. Lease and sale of public property; conveyance of title in certain lands to the government of Virgin Islands.

* * * * *

(b) All right, title, and interest of the United States in the property placed under the control of the government of the Virgin Islands by section 1405c(a) of this title, not reserved to the United States by the Secretary of the Interior within one hundred and twenty days after October 5, 1974, is hereby conveyed to such government. The conveyance effected by the preceding sentence shall not apply to that land and other property which on October 5, 1974, is administered by the Secretary of the Interior as part of the National Park System and such lands and other property shall be retained by the United States. (As amended Oct. 5, 1974, Pub. L. 93–435, § 3, 88 Stat. 1211.)

AMENDMENTS

1974—Subsec. (b). Pub. L. 93–435 substituted provisions conveying to the Government of Virgin Islands title in lands now under its control with power to the Secretary of the Interior to reserve rights to the United States within 120 days after Oct. 5, 1974, with the exception of land and property being administered by the Secretary of the Interior as part of the National Park System, for provisions that the Government of Virgin Islands shall continue to have control over all public property under its control on July 22, 1954.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1707, 1708 of this title.

SUBCHAPTER III.—LEGISLATIVE BRANCH

§ 1572. Same.

* * * * *

(b) Qualifications of members.

No person shall be eligible to be a member of the legislature who is not a citizen of the United States, who has not attained the age of twenty-one years, who is not a qualified voter in the Virgin Islands, who has not been a bona fide resident of the Virgin Islands for at least three years next preceding the date of his election, or who has been convicted of a felony or of a crime involving moral turpitude and has not received a pardon restoring his civil rights. Federal employees and persons employed in the legislative, executive or judicial branches of the government of the Virgin Islands shall not be eligible for membership in the legislature.

* * * * *

(h) Vacancies.

The Legislature of the Virgin Islands shall by law provide the procedure for filling any vacancy in the office of member of the legislature. (As amended Aug. 17, 1972, Pub. L. 92–389, 86 Stat. 563; Oct. 19, 1973, Pub. L. 93–130, § 1, 87 Stat. 460.)

AMENDMENTS

1973—Subsec. (h). Pub. L. 93–130 substituted provision authorizing the Legislature of Virgin Islands to provide by law the procedure for filling vacancies in the membership of the Legislature, for provisions authorizing the Governor of the Virgin Islands to fill any such vacancy by appointment of resident of the district from which the member whose office became vacant was elected if the vacancy is that of a Senator and of resident of any part of Virgin Islands if the vacancy is that of a Senator at large, and that such appointee shall serve for the remainder of the unexpired term.

1972—Subsec. (b). Pub. L. 92–389 reduced the age qualification for membership of legislature from twenty-five years to twenty-one years.

EFFECTIVE DATE OF 1973 AMENDMENT

Section 2 of Pub. L. 93–130 provided that: "The amendment made by the first section of this Act [amending this section] shall apply with respect to vacancies occurring on or after the date of enactment of this Act [Oct. 19, 1973]".

SUBCHAPTER IV.—EXECUTIVE BRANCH

§ 1596. Delegate from the Virgin Islands to the United States House of Representatives; clerk hire allowance and transportation expenses.

Notwithstanding any other provision of law, the clerk hire allowance and the transportation expenses subject to reimbursement under Federal law of the Delegate from the Virgin Islands to the United States House of Representatives shall each be the same as allowed for Members of the United States House of Representatives. (July 22, 1954, ch. 558, § 15, as added May 27, 1975, Pub. L. 94–26, § 2, 89 Stat. 94.)

PRIOR PROVISIONS

A prior section 15 of act July 22, 1954, ch. 558, 68 Stat. 504; Mar. 16, 1962, Pub. L. 87–419, § 2, 76 Stat. 35, authorizing the Secretary of the Interior to designate the head of an executive department of the Government of the Virgin Islands as Governor in case of a vacancy, disability or absence of both the Governor and the Government Secretary, was repealed by Pub. L. 90–496, § 7(b), Aug. 23, 1968, 82 Stat. 839, effective January 4, 1971.

SUBCHAPTER V.—JUDICIAL BRANCH

§ 1617. United States attorney; appointment; duties; vacancies.

The President shall, by and with the advice and consent of the Senate, appoint a United States attorney for the Virgin Islands to whose office the provisions of chapter 35 of Title 28, shall apply. Except as otherwise provided by law it shall be the duty of the United States attorney to prosecute all offenses against the United States and to conduct all legal proceedings, civil and criminal, to which the Government of the United States is a party in the district court and in the inferior courts of the Virgin Islands. He shall also prosecute in the district court in the name of the government of the Virgin Islands all offenses against the laws of the Virgin Islands which are cognizable by that court unless, at his request or with his consent, the prosecution of any such case is conducted by the attorney general of the Virgin Islands. The United States attorney may, when requested by the Government or the attorney general of the Virgin Islands, conduct any other legal proceedings to which the government of the Virgin Islands is a party in the district court or the inferior courts of the Virgin Islands. In the case of a vacancy in the office of United States attorney, the District Court of the Virgin Islands may appoint a United States attorney to serve until the vacancy is filled. The order of appointment by the court shall be filed with the clerk of the court. (As amended June 2, 1971, Pub. L. 92–24, 85 Stat. 76.)

AMENDMENTS

1971—Pub. L. 92–24 substituted "chapter 35" for "chapter 31" and deleted "except that the Attorney General shall not appoint more than one assistant United States attorney for the Virgin Islands" following "shall apply".

Chapter 13.—EASTERN SAMOA

§ 1661. Islands of Tutuila, Manua, and eastern Samoa; ceded to and accepted by United States; revenue; government.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1708 of this title.

§ 1663. Acknowledgment of deeds.

CODIFICATION

Section is also set out in D.C. Code, § 45–405.

§ 1665. Purchases by governments of Samoa.

REPEALED

Pub. L. 92–76, title I, § 100, Aug. 10, 1971, 85 Stat. 233; Pub. L. 92–369, title I, § 100, Aug. 10, 1972, 86 Stat. 512; Pub. L. 93–120, title I, § 100, Oct. 4, 1973, 87 Stat. 433; Pub. L. 93–404, title I, § 100, Aug. 31, 1974, 88 Stat. 812; Pub. L. 94–165, title I, § 100, Dec. 23, 1975, 89 Stat. 987.

Chapter 14.—TRUST TERRITORY OF THE PACIFIC ISLANDS

Sec.

1681b. Government comptroller of Guam; additional duties [New].
(a) General provision; general supervision of Secretary of Interior; other than executive department status; apportionment of salary and expenses between Guam and Trust Territory.
(b) Auditing function.
(c) Reporting and additional auditing function.
(d) Decisions of comptroller general; administrative review.
(e) Same; judicial review.
(f) Official communications; witnesses and oaths.
(g) Annual report to Congress.
(h) Miscellaneous reports.
(i) Office and activities subject to review by Comptroller General of the United States.
(j) Collection of data; access to government records.
1688. Trust Territory Economic Development Loan Fund [New].
1689. Same; plan for use of grant; loans; terms [New].
1690. Same; loan restrictions; guarantees [New].
1691. Same; fiscal control and accounting procedure [New].
1692. Same; annual report [New].
1693. Same; audit [New].

§ 1681. Continuance of civil government for the Trust Territory of the Pacific Islands; assistance programs; maximum fiscal year costs; reimbursement.

AUTHORIZATION OF APPROPRIATIONS

Section 2 of act June 30, 1954, as amended July 19, 1962, Pub. L. 87–541, 76 Stat. 171; May 10, 1967, Pub. L. 90–16, § 1, 81 Stat. 15; Oct. 21, 1968, Pub. L. 90–617, § 1, 82 Stat. 1213; Dec. 24, 1970, Pub. L. 91–578, 84 Stat. 1559; Sept. 21, 1973, Pub. L. 93–111, § 1, 87 Stat. 354; May 28, 1975, Pub. L. 94–27, § 1, 89 Stat. 95, provided that: "There are authorized to be appropriated not to exceed $25,000,000 for fiscal year 1967, for fiscal year 1975, $75,000,000 plus such sums as are necessary, but not to exceed $10,000,000, for each of such fiscal years, to offset reductions in, or the termination of, Federal grant-in-aid programs or other funds

made available to the Trust Territory of the Pacific Islands by other Federal agencies to remain available until expended, to carry out the provisions of this Act [this section] and to provide for a program of necessary capital improvements and public works related to health, education, utilities, highways, transportation facilities, communications, and public buildings: *Provided*, That except for funds appropriated for the activities of the Peace Corps no funds appropriated by any Act shall be used for administration of the Trust Territory of the Pacific Islands except as may be specifically authorized by law."

DISASTER RELIEF

Section 3 of act June 30, 1954, ch. 423, as added Pub. L. 90–617, § 2, Oct. 21, 1968, 82 Stat. 1213, and amended Pub. L. 91–606, title III, § 301(k), Dec. 31, 1970, 84 Stat. 1759; Pub. L. 93–288, title VI, § 602(k), May 22, 1974, 88 Stat. 164, provided that: "There are hereby authorized to be appropriated such sums as the Secretary of the Interior may find necessary, but not to exceed $10,000,000 for any one year, to alleviate suffering and damage resulting from major disasters that occur in the Trust Territory of the Pacific Islands. Such sums shall be in addition to those authorized in section 2 of this Act [set out as a note under this section] and shall not be subject to the limitations imposed by section 2 of this Act. The Secretary of the Interior shall determine whether or not a major disaster has occurred in accordance with the principles and policies of sections 102(2) and 301 of the Disaster Relief Act of 1974 [sections 5122(2) and 5141 of Title 42, The Public Health and Welfare]."

AUTHORIZATION OF APPROPRIATION FOR TRANSITION OF MARIANA ISLANDS DISTRICT TO COMMONWEALTH STATUS

Section 2 of Pub. L. 94–27, May 28, 1975, 89 Stat. 95, provided that: "There is authorized to be appropriated $1,500,000 to aid in the transition of the Mariana Islands District to a new Commonwealth status as a territory of the United States: *Provided, however*, That no part of such sum may be obligated or expended until final agreement between Marianas Political Status Commission and the United States has been approved by the Congress."

§ 1681b. Government comptroller of Guam; additional duties.

(a) General provision; general supervision of Secretary of Interior; other than executive department status; apportionment of salary and expenses between Guam and Trust Territory.

The government comptroller for Guam appointed pursuant to the provisions of section 1422d of this title shall, in addition to the duties imposed on him by the Organic Act of Guam, carry out, on and after September 21, 1973, the duties set forth in this section with respect to the government of the Trust Territory of the Pacific Islands. In carrying out such duties, the comptroller shall be under the general supervision of the Secretary of the Interior and shall not be a part of any executive department in the government of the Trust Territory of the Pacific Islands. The salary and expenses of the comptroller's office shall, notwithstanding the provisions of subsection (a) of section 1422d of this title, be apportioned equitably by the Secretary of the Interior between Guam and the Trust Territory of the Pacific Islands from funds available to Guam and the trust territory.

(b) Auditing function.

The government comptroller shall audit all accounts and review and recommend adjudication of claims pertaining to the revenue and receipts of the government of the Trust Territory of the Pacific Islands and of funds derived from bond issues; and he shall audit, in accordance with law and administrative regulations, all expenditures of funds and property pertaining to the government of the Trust Territory of the Pacific Islands including those pertaining to trust funds held by such government.

(c) Reporting and additional auditing function.

It shall be the duty of the government comptroller to bring to the attention of the Secretary of the Interior and the High Commissioner of the Trust Territory of the Pacific Islands all failures to collect amounts due the government, and the expenditures of funds or uses of property which are irregular or not pursuant to law. The audit activities of the government comptroller shall be directed so as to (1) improve the efficiency and economy of programs of the government of the Trust Territory of the Pacific Islands, and (2) discharge the responsibility incumbent upon the Congress to insure that the substantial Federal revenues which are covered into the treasury of such government are properly accounted for and audited.

(d) Decisions of comptroller general; administrative review.

The decisions of the government comptroller shall be final except that appeal therefrom may, with the concurrence of the High Commissioner, be taken by the party aggrieved or the head of the department concerned, within one year from the date of the decision, to the Secretary of the Interior, which appeal shall be in writing and shall specifically set forth the particular action of the government comptroller to which exception is taken, with the reasons and the authorities relied upon for reversing such decision.

(e) Same; judicial review.

If the High Commissioner does not concur in the taking of an appeal to the Secretary, the party aggrieved may seek relief by suit in the District Court of Guam, if the claim is otherwise within its jurisdiction. No later than thirty days following the date of the decision of the Secretary of the Interior, the party aggrieved or the High Commissioner, on behalf of the head of the department concerned, may seek relief by suit in the District Court of Guam, if the claim is otherwise within its jurisdiction.

(f) Official communications; witnesses and oaths.

The government comptroller is authorized to communicate directly with any person or with any department officer or person having official relation with his office. He may summon witnesses and administer oaths.

(g) Annual report to Congress.

As soon after the close of each fiscal year as the accounts of said fiscal year may be examined and adjusted, the government comptroller shall submit to the High Commissioner and the Secretary of the Interior an annual report of the fiscal condition of the government, showing the receipts and disbursements of the various departments and agencies of the government. The Secretary of the Interior shall submit such report along with his comments and recommendations to the President of the Senate and the Speaker of the House of Representatives.

(h) Miscellaneous reports.

The government comptroller shall make such other reports as may be required by the High Com-

missioner, the Comptroller General of the United States, or the Secretary of the Interior.

(i) Office and activities subject to review by Comptroller General of the United States.

The office and activities of the government comptroller pursuant to this section shall be subject to review by the Comptroller General of the United States, and reports thereon shall be made by him to the High Commissioner, the Secretary of the Interior, the President of the Senate and the Speaker of the House of Representatives.

(j) Collection of data; access to government records.

All departments, agencies, and establishments shall furnish to the government comptroller such information regarding the powers, duties, activities, organization, financial transactions, and methods of business of their respective offices as he may from time to time require of them; and the government comptroller, or any of his assistants or employees, when duly authorized by him, shall, for the purpose of securing such information, have access to and the right to examine any books, documents, papers, or records of any such department, agency, or establishment. (June 30, 1954, ch. 423, § 4, as added Sept. 21, 1973, Pub. L. 93–111, § 2, 87 Stat. 354.)

REFERENCES IN TEXT

Organic Act of Guam, referred to in subsec. (a), is classified to chapter 8A (section 1421 et seq.) of this title.

CODIFICATION

"Section 1422d of this title" and "the Organic Act of Guam" were substituted for "section 9–A of the Organic Act of Guam" and "such Act" for codification purposes.

§ 1682. Purchases by governments of Pacific Trust Territory.

REPEATED

Pub. L. 92–76, title I, § 100, Aug. 10, 1971, 85 Stat. 233; Pub. L. 92–369, title I, § 100, Aug. 10, 1972, 86 Stat. 513; Pub. L. 93–120, title I, § 100, Oct. 4, 1973, 87 Stat. 434; Pub. L. 93–404, title I, § 100, Aug. 31, 1974, 88 Stat. 813; Pub. L. 94–165, title I, § 100, Dec. 23, 1975, 89 Stat. 988.

§ 1683. Auditing of transactions of Pacific Trust Territory.

REPEATED

Pub. L. 92–76, title I, § 100, Aug. 10, 1971, 85 Stat. 233; Pub. L. 92–369, title I, § 100, Aug. 10, 1972, 86 Stat. 513; Pub. L. 93–120, title I, § 100, Oct. 4, 1973, 87 Stat. 434; Pub. L. 93–404, title I, § 100, Aug. 31, 1974, 88 Stat. 813; Pub. L. 94–165, title I, § 100, Dec. 23, 1975, 89 Stat. 988.

§ 1687. Expenditure of appropriations for Pacific Trust Territory for surface vessels.

Appropriations available for the Administration of the Trust Territory of the Pacific Islands may be expended for the purchase, charter, maintenance, and operation of surface vessels for official purposes and for commercial transportation purposes found by the Secretary to be necessary. (Pub. L. 94–165, title I, § 100, Dec. 23, 1975, 89 Stat. 988.)

SIMILAR PROVISIONS

Section is from the Department of Interior and Related Agencies Appropriation Act, 1976. Similar provisions were contained in the following prior appropriation acts:

1974—Pub. L. 93–404, title I, § 100, Aug. 31, 1974, 88 Stat. 313.

1973—Pub. L. 93–120, title I, § 100, Oct. 4, 1973, 87 Stat. 434.

1972—Pub. L. 92–369, title I, § 100, Aug. 10, 1972, 86 Stat. 513.

1971—Pub. L. 92–76, title I, § 100, Aug. 10, 1971, 85 Stat. 233.

§ 1688. Trust Territory Economic Development Loan Fund.

For the purpose of promoting economic development in the Trust Territory of the Pacific Islands, there is authorized to be appropriated to the Secretary of the Interior, for payment to the government of the Trust Territory of the Pacific Islands as a grant in accordance with the provisions of sections 1688 to 1693 of this title, an amount which when added to the development fund established pursuant to section 3 of the Act of August 22, 1964 (78 Stat. 601), as augmented by subsequent Federal grants, will create a total fund of $5,000,000, which shall thereafter be known as the Trust Territory Economic Development Loan Fund. (Pub. L. 92–257, § 1, Mar. 21, 1972, 86 Stat. 87.)

REFERENCES IN TEXT

The Act of August 22, 1964 (78 Stat. 601), referred to in text, is Pub. L. 88–487. Sections 1 and 2 thereof were classified, respectively, to section 1681 of this title and section 303 of Title 47, Telegraphs, Telephones, and Radiotelegraphs. Section 3 thereof, referred to in text, was not classified to the Code.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1689, 1690, 1692 of this title.

§ 1689. Same; plan for use of grant; loans; terms.

The grant authorized by section 1688 of this title shall be made only after the government of the Trust Territory of the Pacific Islands has submitted to the Secretary of the Interior a plan for the use of the grant, and the plan has been approved by the Secretary. The plan shall provide among other things for a revolving fund to make loans or to guarantee loans to private enterprise. The term of any loan made pursuant to the plan shall not exceed twenty-five years. (Pub. L. 92–257, § 2, Mar. 21, 1972, 86 Stat. 87.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1688, 1690, 1691, 1692 of this title.

§ 1690. Same; loan restrictions; guarantees.

No loan or loan guarantee shall be made under sections 1688 to 1693 of this title to any applicant who does not satisfy the territorial administering agency that financing is otherwise unavailable on reasonable terms and conditions. No loan or loan guarantee shall exceed (1) the amount which can reasonably be expected to be repaid, (2) the minimum amount necessary to accomplish the purposes of sections 1688 to 1693 of this title, or 25 per centum of the funds appropriated pursuant to section 1688 of this title. No loan guarantee shall guarantee more than 90 per centum of the outstanding amount of any loan, and the reserves maintained to guarantee the loan shall not be less than 25 per centum of the guarantee. (Pub. L. 92–257, § 3, Mar. 21, 1972, 86 Stat. 87.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1688, 1692 of this title.

§ 1691. Same; fiscal control and accounting procedures.

The plan provided for in section 1689 of this title shall set forth such fiscal control and accounting

procedures as may be necessary to assure proper disbursement, repayment, and accounting for such funds. (Pub. L. 92–257, § 4, Mar. 21, 1972, 86 Stat. 88.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1688, 1690, 1692 of this title.

§ 1692. Same; annual report.

The High Commissioner of the Trust Territory of the Pacific Islands shall make an annual report to the Secretary of the Interior on the administration of sections 1688 to 1693 of this title. (Pub. L. 92–257, § 5, Mar. 21, 1972, 86 Stat. 88.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1688, 1690 of this title.

§ 1693. Same; audit.

The Comptroller General of the United States, or any of his duly authorized representatives, shall have access, for the purpose of audit and examination, to any relevant books, documents, papers, or records of the government of the Trust Territory of the Pacific Islands. (Pub. L. 92–257, § 6, Mar. 21, 1972, 86 Stat. 88.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1688, 1690, 1692 of this title.

Chapter 15.—CONVEYANCE OF SUBMERGED LANDS TO TERRITORIES

Sec.

1705. Tidelands, submerged lands, or filled lands [New].
(a) Conveyance to Guam, Virgin Islands, and American Samoa.
(b) Retention of certain lands and mineral rights by United States.
(c) Submittal to Congressional Committees of proposals for conveyance of retained lands or rights.
1706. Reserved rights [New].
(a) Establishment of naval defense sea areas and airspace reservations.
(b) Navigation; flood control; power production.
(c) Navigational servitude and powers of regulation for purposes of commerce, navigation, national defense, and international affairs.
(d) Status of lands beyond the three-mile limit.
1707. Payment of rents, royalties, and fees to local government [New].
1708. Discrimination prohibited in rights of access to, and benefits from, conveyed lands [New].

§§ 1701 to 1703. Repealed. Pub. L. 93–435, § 5, Oct. 5, 1974, 88 Stat. 1212.

Section 1701, Pub. L. 88–183, § 1, Nov. 20, 1963, 77 Stat. 338, related to the authority of the Secretary of the Interior to transfer tidelands, submerged lands, and filled lands to the governments of Guam, Virgin Islands and American Samoa with certain restrictions and conditions. See section 1705 of this title.

Section 1702, Pub. L. 88–183, § 2, Nov. 20, 1963, 77 Stat. 339, related to the administrative responsibility of the Secretary of the Interior for tidelands, submerged lands, and filled lands in adjacent to Guam, Virgin Islands and American Samoa. See sections 1705 to 1708 of this title.

Section 1703, Pub. L. 88–183, § 3, Nov. 20, 1963, 77 Stat. 339, related to certain rights reserved for the United States for purposes of defense, navigation, flood control, commerce and international affairs, and is now covered by section 1706 of this title.

§ 1705. Tidelands, submerged lands, or filled lands.

(a) Conveyance to Guam, Virgin Islands, and American Samoa.

Subject to valid existing rights, all right, title, and interest of the United States in lands permanently or periodically covered by tidal waters up to but not above the line of mean high tide and seaward to a line three geographical miles distant from the coastlines of the territories of Guam, the Virgin Islands, and American Samoa, as heretofore or hereafter modified by accretion, erosion, and reliction, and in artificially made, filled in, or reclaimed lands which were formerly permanently or periodically covered by tidal waters, are hereby conveyed to the governments of Guam, the Virgin Islands, and American Samoa, as the case may be, to be administered in trust for the benefit of the people thereof.

(b) Retention of certain lands and mineral rights by United States.

There are excepted from the transfer made by subsection (a) hereof—

(i) all deposits of oil, gas, and other minerals, but the term "minerals" shall not include coral, sand, and gravel;

(ii) all submerged lands adjacent to property owned by the United States above the line of mean high tide;

(iii) all submerged lands adjacent to property above the line of mean high tide acquired by the United States by eminent domain proceedings, purchase, exchange, or gift, after October 5, 1974, as required for completion of the Department of the Navy Land Acquisition Project relative to the construction of the Ammunition Pier authorized by the Military Construction Authorization Act, 1971 (84 Stat. 1204), as amended by section 201 of the Military Construction Act, 1973 (86 Stat. 1135);

(iv) all submerged lands filled in, built up, or otherwise reclaimed by the United States, before October 5, 1974, for its own use;

(v) all tracts or parcels of submerged land containing on any part thereof any structures or improvements constructed by the United States;

(vi) all submerged lands that have heretofore been determined by the President or the Congress to be of such scientific, scenic, or historic character as to warrant preservation and administration under the provisions of sections 1 and 2 to 4 of Title 16;

(vii) all submerged lands designated by the President within one hundred and twenty days after October 5, 1974;

(viii) all submerged lands that are within the administrative responsibility of any agency or department of the United States other than the Department of the Interior;

(ix) all submerged lands lawfully acquired by persons other than the United States through purchase, gift, exchange, or otherwise;

(x) all submerged lands within the Virgin Islands National Park established by sections 398 and 398a of Title 16, including the lands described in sections 398c and 398d of Title 16; and

(xi) all submerged lands within the Buck Island Reef National Monument as described in

Presidential Proclamation 3448 dated December 28, 1961.

Upon request of the Governor of Guam, the Virgin Islands, or American Samoa, the Secretary of the Interior may, with or without reimbursement, and subject to the procedure specified in subsection (c) of this section convey all right, title, and interest of the United States in any of the lands described in clauses (ii), (iii), (iv), (v), (vi), (vii), or (viii) of this subsection to the government of Guam, the Virgin Islands, or American Samoa, as the case may be, with the concurrence of the agency having custody thereof.

(c) Submittal to Congressional Committees of proposals for conveyance of retained lands or rights.

No conveyance shall be made by the Secretary pursuant to this section until the expiration of sixty calendar days (excluding days on which the House of Representatives or the Senate is not in session because of an adjournment of more than three days to a day certain) from the date on which the Secretary of the Interior submits to the Committees on Interior and Insular Affairs of the House of Representatives and the Senate an explanatory statement indicating the tract proposed to be conveyed and the need therefor, unless prior to the expiration of such sixty calendar days both committees inform the Secretary that they wish to take no action with respect to the proposed conveyance. (Pub. L. 93–435, § 1, Oct. 5, 1974, 88 Stat. 1210.)

REFERENCES IN TEXT

The authorization for the construction by the Navy of the Ammunition Pier under the Military Construction Authorization Act, 1971 (84 Stat. 1204) is contained in section 201 of Pub. L. 91–511, Oct. 26, 1970, 84 Stat. 1204, as amended by section 201 of Pub. L. 92–545, Oct. 25, 1972, 86 Stat. 1138, which was not classified to the Code.

PROC. NO. 4346. RESERVING CERTAIN LANDS ADJACENT TO AND ENLARGING BOUNDARIES OF BUCK ISLAND REEF NATIONAL MONUMENT IN VIRGIN ISLANDS

Proc. No. 4346, Feb. 1, 1975, 40 F.R. 5127, as amended by Proc. No. 4359, Mar. 28, 1975, 40 F.R. 14565, provided:

The Buck Island Reef National Monument, situated off the northeast coast of Saint Croix Island in the Virgin Islands of the United States, was established by Proclamation No. 3443 of December 28, 1961 (76 Stat. 1441). It now has been determined that approximately thirty acres of submerged land should be added to the monument site in order to insure the proper care and management of the shoals, rocks, undersea coral reef formations and other objects of scientific and historical interest pertaining to this National Monument.

These thirty acres of submerged lands are presently owned in fee by the United States. They will be conveyed to the Government of the Virgin Islands on February 3, 1975, pursuant to Section 1(a) of Public Law 93–435 (88 Stat. 1210) [subsec. (a) of this section], unless the President, under Section 1(b)(vii) of that Act [subsec. (b) of this section], designates otherwise.

Under Section 2 of the Act of June 8, 1906, 34 Stat. 225 (16 U.S.C. 431), the President is authorized to declare by public Proclamation objects of historic or scientific interest that are situated upon the lands owned or controlled by the Government of the United States to be national monuments, and may reserve as a part thereof parcels of land, the limits of which in all cases shall be confined to the smallest area compatible with the proper care and management of the objects to be protected. The aforementioned thirty acres of submerged lands are contiguous to the site of the Buck Island Reef National Monument, constitute a part of the ecological community of the Buck Island Reef, and will not enlarge the monument boundaries beyond the smallest area compatible with its proper care and management.

Now, THEREFORE, I, GERALD R. FORD, President of the United States of America, by virtue of the authority vested in me by Section 1(b)(vii) of Public Law 93–435 (88 Stat. 1210) [subsec. (b)(vii) of this section], do hereby proclaim that the lands hereinafter described are excepted from the transfer to the Government of the Virgin Islands under Section 1(a) of Public Law 93–435 [subsec. (a) of this section]; and, by virtue of the authority vested in me by Section 2 of the Act of June 8, 1906, 34 Stat. 225 (16 U.S.C. 431), do hereby proclaim that, subject to valid existing rights, the lands hereinafter described are hereby added to and made a part of the Buck Island Reef National Monument, and Proclamation No. 3443 of December 28, 1961, establishing the Buck Island Reef National Monument is amended accordingly.

Beginning at latitude 17°47'30" N, longitude 64°36'32" W; thence approximately 1000 feet to latitude 17°47'27" N, longitude 64°36'22" W; thence approximately 900 feet to latitude 17°47'18" N, longitude 64°36'22" W; thence approximately 1000 feet to latitude 17°47'15" N, longitude 64°36'32" W; thence approximately 1500 feet to latitude 17°47'30" N, longitude 64°36'32" W, the place of beginning, embracing an area of approximately 30 acres.

IN WITNESS WHEREOF, I have hereunto set my hand this first day of February, in the year of our Lord nineteen hundred seventy-five and of the Independence of the United States of America the one hundred and ninety-ninth.

GERALD R. FORD.

PROC. NO. 4347. RESERVING CERTAIN SUBMERGED LANDS ADJACENT TO ROSE ATOLL NATIONAL WILDLIFE REFUGE IN AMERICAN SAMOA AND CERTAIN SUBMERGED LANDS FOR DEFENSE NEEDS OF UNITED STATES IN GUAM AND VIRGIN ISLANDS

Proc. No. 4347, Feb. 1, 1975, 40 F.R. 5129, provided:

The submerged lands surrounding the Rose Atoll National Wildlife Refuge in American Samoa are necessary for the protection of the Atoll's marine life, including the green sea and hawksbill turtles. The submerged lands in Apra Harbor and those adjacent to Inapsan Beach and Urano Point in Guam, and certain submerged lands on the west coast of St. Croix, United States Virgin Islands are required for national defense purposes. These submerged lands in American Samoa, Guam and the United States Virgin Islands will be conveyed to the Government of those territories, on February 3, 1975, pursuant to Section 1(a) of Public Law 93–435 (88 Stat. 1210) [subsec. (a) of this section], unless the President, under Section 1(b)(vii) of that Act [subsec (b)(vii) of this section], designates otherwise.

Now, THEREFORE, I GERALD R. FORD, President of the United States of America, by virtue of authority vested in me by Section 1(b)(vii) of Public Law 93–435 (88 Stat. 1210) [subsec. (b)(vii) of this section], do hereby proclaim that the lands hereinafter described are excepted from the transfer to the Government of American Samoa, the Government of Guam and the Government of the United States Virgin Islands under Section 1(a) of Public Law 93–425. [subsec. (a) of this section].

American Samoa. The submerged lands adjacent to Rose Atoll located 78 miles east-southeast of Tau Island in the Manua Group at latitude 14°32'52" south and longitude 168°08'34" west, which lands shall be under the joint administrative jurisdiction of the Department of Commerce and the Department of the Interior.

Guam. (1) The submerged lands of inner and outer Apra Harbor; and, (2) the submerged lands adjacent to the following uplands: (a) Unsurveyed land, Municipality of Machanao, Guam, as delineated on Commander Naval Forces. Marianas Y & D Drawing Numbered 597–464, lying between the seaward boundaries of Lots Numbered 9992 through 9997 and the mean high tide, containing an undetermined area of land, (b) unsurveyed land, Municipality of Machanao, Guam, as delineated on Commander Naval Forces, Marianas Y & D Drawing Numbered 597–464, lying between the seaward boundary of Lot Numbered 10080 and the line of mean high tide, containing an undetermined amount of land, and (c) Lot Numbered PO 4.1 in the Municipality of Machanao, Guam, as delineated on Y & D Drawing Numbered 597–464, more particularly

described as surveyed land bordered on the north by Lot Numbered 10080, Machanao, east by Northwest Air Force Base, south by U.S. Naval Communication Station (Finegayan) and west by the sea containing a computed area of 125.50 acres, more or less. All of the above lands within the territory of Guam shall be under the administrative jurisdiction of the Department of the Navy.

The Virgin Islands. (1) The submerged lands as described in the Code of Federal Regulations revised as of July 1, 1974, cited as 33 CFR 207.817 areas "A" & "B", (2) the submerged lands seaward of the 100 fathom curve off the coast of St. Croix beginning at a point 17°40'30'' N and ending at a point 17°46'30'' North as depicted on Coast and Geodetic Survey Chart Numbered 25250, Third Edition; Title: St. Croix, Virgin Islands Underwater Range, and (3) the submerged lands seaward of the Underwater Range Operational Control Center, St. Croix, Virgin Islands presently leased to the Department of the Navy and described as Plot #18 of Estate Sprat Hall subdivision, located in northside Quarter "A", St. Croix containing 4.84 acres of land. All of the above lands within the territory of the Virgin Islands shall be under the administrative jurisdiction of the Department of the Navy.

IN WITNESS WHEREOF, I have hereunto set my hand this first day of February, in the year of our Lord nineteen hundred seventy-five, and of the Independence of the United States of America the one hundred and ninety-ninth.

GERALD R. FORD.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1706, 1707, 1708 of this title.

§ 1706. Reserved rights.

(a) Establishment of naval defense sea areas and airspace reservations.

Nothing in sections 1705 to 1708 of this title shall affect the right of the President to establish naval defensive sea areas and naval airspace reservations around and over the islands of Guam, American Samoa, and the Virgin Islands when deemed necessary for national defense.

(b) Navigation; flood control; power production.

Nothing in sections 1705 to 1708 of this title shall affect the use, development, improvement, or control by or under the constitutional authority of the United States of the lands transferred by section 1705 of this title, and the navigable waters overlying such lands, for the purposes of navigation or flood control or the production of power, or be construed as the release or relinquishment of any rights of the United States arising under the constitutional authority of Congress to regulate or improve navigation, or to provide for flood control or the production of power.

(c) Navigational servitude and powers of regulation for purposes of commerce, navigation, national defense, and international affairs.

The United States retains all of its navigational servitude and rights in and powers of regulation and control of the lands conveyed by section 1705 of this title, and the navigable waters overlying such lands, for the constitutional purposes of commerce, navigation, national defense, and international affairs, all of which shall be paramount to, but shall not be deemed to include, proprietary rights of ownership, or the rights of management, administration, leasing, use, and development of the lands and natural resources which are specifically conveyed to the government of Guam, the Virgin Islands, or American Samoa, as the case may be, by section 1705 of this title.

(d) Status of lands beyond the three-mile limit.

Nothing in sections 1705 to 1708 of this title shall affect the status of lands beyond the three-mile limit described in section 1705 of this title. (Pub. L. 93–435, § 2, Oct. 5, 1974, 88 Stat. 1211.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1707, 1708 of this title.

§ 1707. Payment of rents, royalties, and fees to local government.

On and after October 5, 1974, all rents, royalties, or fees from leases, permits, or use rights, issued prior to October 5, 1974, by the United States with respect to the land conveyed by sections 1705 to 1708 of this title, or by section 1545(b) of this title, and rights of action for damages for trespass occupancies of such lands shall accrue and belong to the appropriate local government under whose jurisdiction the land is located. (Pub. L. 93–435, § 4, Oct. 5, 1974, 88 Stat. 1212.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is refered to in sections 1706, 1708 of this title.

§ 1708. Discrimination prohibited in rights of access to, and benefits from, conveyed lands.

No person shall be denied access to, or any of the benefits accruing from, the lands conveyed by sections 1705 to 1708 of this title, or by section 1545(b) of this title, on the basis of race, religion, creed, color, sex, national origin, or ancestry: *Provided, however*, That this section shall not be construed in derogation of any of the provisions of the April 17, 1900 cession of Tutuila and Aunuu or the July 16, 1904 cession of the Manu's Islands, as ratified by the Act of February 20, 1929 (45 Stat. 1253) and the Act of May 22, 1929 (46 Stat. 4). (Pub. L. 93–435, § 6, Oct. 5, 1974, 88 Stat. 1212.)

REFERENCES IN TEXT

The Act of February 20, 1929 (45 Stat. 1253) and the Act of May 22, 1929 (46 Stat. 4), referred to in text, were originally set out as section 1431a of this title, and are now covered by section 1661 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1706, 1707 of this title.

Chapter 16.—DELEGATES TO CONGRESS FROM GUAM AND VIRGIN ISLANDS [NEW]

Sec.
1711. Delegate to House of Representatives from Guam and Virgin Islands.
1712. Election of delegates; majority; runoff election; vacancy; commencement of term.
1713. Qualifications for Office of Delegate.
1714. Territorial legislature; determination of election procedure.
1715. Operation of Office; House privileges; compensation, allowances, and benefits; privileges and immunities; voting in committee; clerk hire and transportation expenses.

§ 1711. Delegate to House of Representatives from Guam and Virgin Islands.

The territory of Guam and the territory of the Virgin Islands each shall be represented in the United States Congress by a nonvoting Delegate to the House of Representatives, elected as hereinafter

provided. (Pub. L. 92–271, § 1, Apr. 10, 1972, 86 Stat. 118.)

§ 1712. Election of delegates; majority; runoff election; vacancy; commencement of term.

(a) The Delegate shall be elected by the people qualified to vote for the members of the legislature of the territory he is to represent at the general election of 1972, and thereafter at such general election every second year thereafter. The Delegate shall be elected at large, by separate ballot and by a majority of the votes cast for the office of Delegate. If no candidate receives such majority, on the fourteenth day following such election a runoff election shall be held between the candidates receiving the highest and the second highest number of votes cast for the office of Delegate. In case of a permanent vacancy in the office of Delegate, by reason of death, resignation, or permanent disability, the office of Delegate shall remain vacant until a successor shall have been elected and qualified.

(b) The term of the Delegate shall commence on the third day of January following the date of the election. (Pub. L. 92–217, § 2, Apr. 10, 1972, 86 Stat. 119.)

§ 1713. Qualifications for Office of Delegate.

To be eligible for the Office of Delegate a candidate must—

(a) be at least twenty-five years of age on the date of the election,

(b) have been a citizen of the United States for at least seven years prior to the date of the election.

(c) be an inhabitant of the territory from which he is elected, and

(d) not be, on the date of the election, a candidate for any other office.

(Pub. L. 92–271, § 3, Apr. 10, 1972, 86 Stat. 119.)

§ 1714. Territorial legislature; determination of election procedure.

The legislature of each teritory may determine the order of names on the ballot for election of Delegate, the method by which a special election to fill a vacancy in the office of Delegate shall be conducted, the method by which ties between candidates for the office of Delegate shall be resolved, and all other matters of local application pertaining to the election and the office of Delegate not otherwise expressly provided for herein. (Pub. L. 92–271, § 4, Apr. 10, 1972, 86 Stat. 119.)

§ 1715. Operation of Office; House privileges; compensation, allowances, and benefits; privileges and immunities; voting in committee; clerk hire and transportation expenses.

The Delegate from Guam and the Delegate from the Virgin Islands shall have such privileges in the House of Representatives as may be afforded him under the Rules of the House of Representatives. Until the Rules of the House of Representatives are amended to provide otherwise, the Delegate from each territory shall receive the same compensation, allowances, and benefits as a Member of the House of Representatives, and shall be entitled to whatever privileges and immunities are, or hereinafter may be, granted to the Resident Commissioner for Puerto Rico: *Provided,* That the right to vote in committee shall be as provided by the Rules of the House of Representatives: *Provided further,* That the clerk hire allowance of each Delegate shall be a single per annum gross rate that is 60 per centum of the clerk hire allowance of a Member: *Provided further,* That the transportation expenses of each Delegate that are subject to reimbursement under section 43b of Title 2 shall not exceed the cost of four round trips each year. (Pub. L. 92–271, § 5, Apr. 10, 1972, 86 Stat. 119.)